



**CITY OF ABSECON
Municipal Complex
500 Mill Road
Absecon, New Jersey 08201**

PLANNING & ZONING

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**SEPTEMBER 9, 2014
PLANNING BOARD
MEETING MINUTES**

The meeting was called to order by Chair, Tom Hunter at 7:00 p.m.

FLAG SALUTE

NOTIFICATION OF MEETING

ROLL CALL

Present: Thomas, Savell, Ciccone, Armstrong, Horton, Howell, Sugden, Hunter
Absent: Hayden, Rasera, Preston

OLD BUSINESS:

Vote: Minutes of August 26, 2014

Motion to approve – Betty Howell – second – Jerry Savell

All were in favor. Mayor abstained.

Vote: D&R for Appl. #9-2014 – Site Plan Waiver Application for Li Ping Sha for a Massage & Spa business at Absecon Center – 778-796 White Horse Pike – Block 126, Lot 1 & Block 185, Lot 1

Motion to approve: Kim Horton – second – John Thomas

ROLL CALL: Thomas, yes; Savell, yes; Horton, yes; Howell, yes; Sugden, yes; Hunter, yes

NEW BUSINESS:

Appl. #11-2014 for Jin Shan Liu for a Minor Site Plan to construct parking lot at 400 New Jersey Avenue – Block 202, Lot 5

Applicant Jin Shan Liu and translator, Kimberly Bailey were both sworn in as well as their engineer.

Jay Sciullo – consulting engineer from Marathon Engineering. Explained they want to put a small parking lot behind this house. The house has an 800 sq. ft. commercial space for use, but parking is needed. They propose 4 parking spaces at 9 x 18 and a variance is being asked for since the ordinance requirement is 10ft. x 20ft. They propose a 4 ft. wide concrete sidewalk for access to the commercial space. There is an existing non-conformity for the front setback of the property. Signage can't be approved yet since a tenant has not been found yet, but they will conform to the city's sign

requirements. A design waiver for storm water management is being requested. The width of the drive aisle would need a variance as well since they propose 24 ft. where 25 ft. is required.

Mayor – wanted to know the proposed use

Jay – they do not have a tenant yet. They wanted to get approvals for the parking and have it developed, but general retail and office space is permitted in the zone.

Rob Reid – Board Planner – years ago there was curbside parking, but with the widening of the road there is none. There is a private driveway for the residential part of the property and the 4 spaces would cover uses for retail or business office. The only time it would be an issue is if it was a high intensity use, such as a doctor's office or a nail salon. We might have to take a look at it then. In regards to the landscaping, there are about 18 shrubs at the site now and they are adding 14 more, so he is satisfied with that. He feels the variances requested for parking stall size and driveway width is an accepted standard in the industry. Signage should conform to the ordinance and he suggested that he look at it before they actually order it. Not having a tenant it's hard to ask questions. He asked if they could give testimony to operations.

Jay – depending on the type of tenant, the hours of operation would be 9 a.m. to 9 p.m. and maybe 4 employees at the most. Building mounted signs would probably be installed, but plans submitted beforehand.

Andy – a design waiver for the paving of the property is needed and he feels since it's a small parking area, it could be granted. They are proposing sidewalks to be constructed and 5 ft. wide is required, so a design waiver is needed for that since they propose 4 ft. Soil erosion testing can be waived since it's less than 5,000 sq. ft. to be disturbed, but there should be some inlet protection while the parking lot is being constructed, so debris doesn't get into the inlets. He would like that added to the plan and a condition of approval. Storm water runoff will run to the south of the property into a grass area and he would like that to stay as a condition of approval. Lighting should be required for the lot. The driveway apron should be the norm and shown on the plan.

Jay – a proposed lighting plan wasn't proposed. There is some building mounting lighting but will evaluate it and bring it up to security level.

Tom – you have to check into that with the size of the rear yard area.

Jerry – we are looking at an unknown, because we don't know what will be there. Is it going to continue as a residence also? He also feels lighting is needed for the evening and we should be made aware of who the possible tenant might be.

Rob - A restaurant and a doctor's office would be excluded from the types of uses allowed. They'd like approval for any use that would allow the number of parking spaces that they will have.

Public Portion

Phyllis Dargenio – 53 E. Woodland Ave. – she was impressed with the discussions so far tonight. She wanted to know where the employees or owner would park.

Andy - there is no requirement in our code for employees in a retail operation

Tom – there is also street parking on Church St. in the back.

Rob – explained the ordinance and how parking is calculated

Motion to close public – Mayor Armstrong – second – Kim Horton

All were in favor.

Mike – stated the motion for approval with conditions.

Motion to approve – Betty Howell – second – John Thomas

ROLL CALL: Thomas, yes; Savell, yes; Ciccone, yes; Armstrong, yes; Horton, yes; Howell, yes; Sugden, yes; Hunter, yes

Appl. #10-2014 - for AB Visions at Absecon, LLC – Block 9.02 – Lot 3.02 – 980 Pitney Road for Preliminary Site Plan Approval for 340 all age market rate rental units.

Jack Plackter, Esq. – attorney for applicant – explained the property and site improvements so far. It's an application for preliminary approval for 400 new multi-family rental units in addition to the existing 42 units that are there. Of those units, 99 will be age-restricted and the balance of the units will be all - age units and 60 of those new units will be affordable housing units. They are requesting a variance for the parking setback from a building and for trash enclosures. This property is part of a settlement agreement with the city and complies with all the conditions in it. Others present were: Bill McManus, surveyor and planner; Tom Roesch, engineer; Laura Staines, architect and Andrew Jafolla, traffic engineer

Bill McManus – explained the site conditions now and what is happening. He reported that the soil erosion testing was completed for the approvals for buildings 5 and 8. They have a CAFRA approval already in place with this application, but it needs to be modified and that application has been submitted to DEP in July and that permit should hopefully come in soon. Some demolition is occurring in the areas where buildings 5 and 8 will go. The concrete slabs have been removed and the land graded to get ready for the construction of those two buildings. A great deal of administrative work has gone into the affordable buildings with HMFA (Housing Mortgage Finance) with the State. There are 12 new buildings that will contain 340 new units in connection with the 4 existing residential buildings that were previously approved as well as Buildings 5 & 8 that were already approved; total there will be 18 residential buildings on the site and the clubhouse. This site is consistent with the IVD zone except for a couple of items as were mentioned earlier. One variance being requested is a building setback to a parking area at Building #2, the clubhouse. They did not want to lose a parking space to meet the requirements. The other variance is for trash enclosure setback. The ordinance requires 50 ft. setback and they do encroach within the setback within the perimeter of the property. There are 8 total and they feel it is warranted because they would be up against the residential buildings. They wanted to place them in appropriate places for the haulers as well. They will be 20 ft. x 12 ft. block enclosures and are all in front of wooded areas. He has reviewed the professional's reports and agrees to their conditions.

A resident asked for a special request to speak since she had to leave meeting.

Motion to open to the public to allow the one testimony made by Mayor Armstrong – second – Kim Horton
All were in favor.

Phyllis Dargenio – 53 E. Woodland Ave. – lives at Woodland Village at the border of this development and she spoke on behalf of the residents there. It's a senior community and they are apprehensive of what will be next door and all the people. She asked if a fence could be installed between the two properties and asked to the applicant to seriously consider it.

Motion to close public – Mayor Armstrong – second – Kim Horton
All were in favor.

Jerry – concerned the clubhouse is not big enough to accommodate the number of units now since it was originally approved for a 264-unit complex. Will there be enough space on the site itself to enjoy the facility or will they have to go off site?

Tom Roesch – engineer and planner – gave a site description and layout of the property and explained the design waivers requested. It will be a gated community that will require card readers for entrance. A design

waiver for a drive island is being requested. They are required to have 842 total parking spaces, but they have 853, a surplus of 11. With some modifications from the professional's reports, they might have to reduce that number by 6 or more when revising the plans. A design waiver for the thickness of the asphalt is being requested. 4" inches is required and they propose a 2" inch base course. They received that approval for buildings 5 and 8 previously. There will be an emergency access off Pitney Road down by the southerly property line and one off of Boulder Court. They propose two bio retention systems also known as a rain garden; one in front of the site off Pitney Road and the other behind the new parking area. They will be 1-2 ft. deep and designed to take water and infiltrate it. Vegetation will be planted in them that would grow well in that environment. Landscaping design is consistent with the original application. There are requirements for the number of trees, shrubs and ornamental plants and will work with Rob to finalize those plans. A design waiver is requested for the total number of shrubs, because 6,000 are required. The lighting plan is extensive and will continue throughout the site with the current type of lighting at the site now. He explained how the basins worked and what they are made of.

Tom Hunter – would like emergency personnel to have key cards to get into the property as well and he would like to see the project fenced in too and should strongly be considered.

Jerry – wanted to know the number of shrubs they are considering

Rob – will work with them and come up with something that will make the property nice

Laura Staines, architect – described the buildings, elevations, materials, etc. pictured in several exhibits.

Andy Jafollo – traffic engineer – gave testimony on the traffic and new traffic light to be installed at the intersection.

Greg Sugden – suggested surveillance and cameras

Rob Reid – reviewed his report on the bulk and area requirements, landscaping, pedestrian walkways to the buildings, etc. Parking is adequate on the property, but no trailers, boats or larger vehicles will be allowed to park on or at the property.

Tom – questioned if someone has a larger type of work truck or van.

Rob – they won't be allowed to park it.

Andy P. – since the applicant said they'd comply with all his conditions, he didn't go into depth on his report. He discussed the type and thickness of pavement, sanitary sewer laterals, fire hydrants, which will be discussed with the applicant and made part of final approval. He suggested a construction plan be made for phasing plans of the project.

Al Litwornia – the applicant has agreed to about 90% of his comments in his report dated 8/14/14. He would like a traffic control plan to handle the construction phasing as well as the fire access. There are some minor modifications for the emergency access points. He is looking for Title 39 enforcement, where the city can give tickets for illegal parking and it could be made part of final approval. He discussed site triangles and pedestrian walkways and cross walks. Suggested the emails between the professionals and the applicant be made part of the approval.

Tom opened it to the public for comments.

Priscilla Trease - 48 E. Woodland Avenue – wanted to know more about the age-restricted units and if there would be any pet law. Will there be an onsite manager?

Jack – there will be a pet policy in force and will probably be restricted as to the size allowed. They will have an onsite manager.

Pearl Lechner – 26 E. Woodland Ave. – since it's supposed to be an upscale rental property, there was never any rental fees mentioned. What about subletting?

Jack – can't answer right now, but the market will determine it when it's built and ready to rent. The lease agreement will spell out the number of tenants and so subletting will be allowed.

Pearl – respectfully requested that the board as a mandatory requirement, install a fence and lighting between their 105 properties and this property and does not think it's a lot to ask. She didn't anticipate living next door to an apartment complex. This area was designated for senior housing and understands the condition of the settlement has altered this. Their main priority is maintaining equity in their homes. Asked the board to help them out in any way they can as to the fence and lighting.

Thomas Lechner – 26 E. Woodland Ave. – concerned about it being rentals and the maintenance of the property, the amount of traffic and safety crossing the streets. Coming out of their property now is hard.

Jerry Cohen – Fire Chief and Fire Official – he submitted a letter in March for the application dealing with buildings 5 and 8 stating some concerns he had. Some of the items haven't been addressed yet. There is a circle between buildings H, I and 5 that he feels should not be there. They had a fire call and there were cars in the driveway and the dumpster was laying on the side of the road and pretty much a problem getting around that concrete circle in the middle of the road. He would like it made a condition of approval that it be removed. Agrees with Andy regarding the fire hydrants and would like to sit down with them to discuss their locations. He would like Knox boxes installed on the outside gates, as well as the residential buildings so they can get into them in case of emergencies. He then explained how those types of boxes work. Feels that "No Parking" signs should be installed in the driveway areas so people don't park there. They are parking there now and blocking areas. The correct connections to the buildings were not installed and are not compatible with his systems, so they need 5" sturtz installed. Wanted to know if the buildings would be alarmed singly, so they actually know which building is activated and also if a building manager and security person on site 24 hours. In his March letter he asked for the handicapped spaces to be moved to the front of the doors to give emergency vehicles access to the front of the buildings.

Motion to close public – Jerry Savell – second – Mayor Armstrong
All were in favor.

Mike – read the motion with all the conditions, which will be listed in the D&R.

Mayor – asked that before a motion was entertained, the comments about the perimeter fencing be addressed. He asked Mike to determine if we have any legal authority on that issue. He doesn't want to disregard an important issue that was raised tonight.

Mike – the site plan proposed does not show a perimeter fence and there is no site plan standard with regard to this application that would allow the board to mandate the installation of the fence. The D&R for the approvals for buildings 5 & 8 says to consider the installation of the perimeter fence, but not a required condition of approval. The public and the board had concerns then also. We can ask the applicant again, that based upon the concerns mentioned tonight, to evaluate and consider the fence.

Additional discussion on the importance of a perimeter fence was held. Jack explained chain link fences have been a problem in other developments, but they heard all the comments tonight and would like to at selected areas possibly and with the combination of landscaping and fencing, they can come up with something.

Motion to approve application – Mayor Armstrong – second – Betty Howell

ROLL CALL: Thomas, yes; Savell, no; Ciccone, yes; Armstrong, yes; Horton, yes; Howell, yes; Sugden, yes; Hunter, yes

APPROVAL OF BILLS

Andy Previti - \$577.50 for Visions; \$1,680 for Pep Boys; \$618.75 for Jin Shan Liu

Rob Reid - \$990 for Absecon Gardens; \$962.50 for Jin Shan Liu; \$522.50 for Li Ping Sha; \$880 for Pep Boys; \$2,045 for Visions; \$1,072.50 for Visions, Bldg. 5 & 8

Al Litwornia - \$926.45 for Visions; \$13.00 for Conifer; \$816.75 for Pep Boys; \$506.40 for Visions Building 5 and \$657.15 for Building 8

Motion to approve – Mayor Armstrong – second – Kim Horton

All were in favor.

ADJOURNMENT

Motion to adjourn meeting – Jeff Ciccone – second – Greg Sugden

All were in favor.

Respectfully submitted,

Tina M. Lawler

Approved: _____